

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division

SALOME BROWN-EL,

Plaintiff,

v.

Civil Action No. 3:14CV34

J. VASQUEZ, et al.,

Defendants.

**MEMORANDUM OPINION**

By Memorandum Order entered on February 18, 2014, the Court conditionally docketed the action. At that time, the Court directed Salome Brown-El to submit a statement under oath or penalty of perjury that:

- (A) Identifies the nature of the action;
- (B) States her belief that she is entitled to relief;
- (C) Avers that she is unable to prepay fees or give security therefor; and,
- (D) Includes a statement of the assets she possesses.

See 28 U.S.C. § 1915(a)(1). The Court provided Brown-El with an in forma pauperis affidavit form for this purpose. The Court warned Brown-El that a failure to return the in forma pauperis affidavit within thirty (30) days of the date of entry thereof would result in summary dismissal of the action.

Brown-El has not complied with the order of this Court. Brown-El failed to return the in forma pauperis affidavit. As a result, she does not qualify for in forma pauperis status. Furthermore, she has not paid the statutory filing fee for the

instant action. See 28 U.S.C. § 1914(a). Such conduct demonstrates a willful failure to prosecute. See Fed. R. Civ. P. 41(b). Accordingly, this action will be dismissed without prejudice.

The Clerk is DIRECTED to send a copy of the Memorandum Opinion to Brown-El.

/s/

*REP*

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Robert E. Payne  
Senior United States District Judge

Date: *April 10, 2014*  
Richmond, Virginia